

REMARKS

Claims 1, 7-9, 16, 17 and 25-29 were pending as of the Office Action mailed December 23, 2009. Claims 1, 26, and 27 are in independent form. Claims 1, 9, 26, and 27 are being amended. Additionally, claims 28 and 29 are being cancelled, and no new claims are being added. No new matter has been added. Support for the amendments to the claims can be found within the applicant's specification at least at page 8, line 16 through page 10, line 15.

Reconsideration and reexamination of the application is respectfully requested in light of the foregoing amendments and the following remarks.

Interview Summary

The applicant thanks Examiner Wang for the courtesy of the in-person interview on April 19, 2010. The time spent with the applicant's representatives Tim Wilson, John Biernacki, and Arrienne M. Lezak was greatly appreciated. During the interview, the claims were discussed in view of the cited references. Recommendations were made by the examiner. These recommendations have been incorporated into the claims as noted above.

Claim Objections

Claim 29 was objected to under 37 C.F.R. § 1.75(c) as allegedly failing to further limit the subject matter of a previous claim. To expedite prosecution, claim 29 has been cancelled.

Withdrawal of the claim objection is therefore respectfully requested.

Section 112 Rejections

Claim 28 was rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. To expedite prosecution, claim 28 has been cancelled.

Withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, is therefore respectfully requested.

Claims 1, 7-9, 16, 17, and 25-29 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. To expedite prosecution, claims 1, 26, and 27 have

been amended as noted above. Claims 7-9, 16, 17, and 25 depend from claim 1. Claims 28 and 29 have been cancelled.

Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is therefore respectfully requested.

Section 103 Rejections

Claims 1, 7, 17, and 25-29 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Pub. No. 2002/0029377 (“Pavela”) in view of U.S. Patent Pub. No. 2005/0015666 (“Kamani”).

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Pavela and Kamani, and further in view of U.S. Patent No. 6,449,744 (“Hansen”).

Claim 9 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Pavela and Kamani, and further in view of U.S. Patent No. 6,326,985 (“Tazoe”).

Claim 16 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Pavela and Kamani, and further in view of U.S. Patent No. 5,892,947 (“DeLong”).

Claim 1

To expedite prosecution, and in accordance with the examiner’s recommendations, claim 1 has been amended as noted above. The applicant respectfully submits that the teachings of Pavela and Kamani, alone or in combination, do not teach or describe each and every element of claim 1, as amended.

Claim 1 requires three isolated environments. Specifically, claim 1 requires a test design automation independent tool within a first insulated environment, a test coding and execution automation independent tool in a second insulated environment, and a test analysis automation independent tool in a third insulated environment.

The applicant respectfully submits that the “separate environments keep the test designer and the test results analyst insulated from the test coding automation implementation details. This allows non-programmers to develop and analyze sophisticated, robust automated test cases without programming knowledge as well as use automation independent tools to access the full power of automation code without knowledge of its implementation details”, (Applicant’s specification, page 2, lines 17-21).

In contrast, Pavela teaches a single environment having a single test designer using a library of test objects. Pavela additionally requires that the user (e.g., the test designer), “have adequate knowledge of the syntax and related parameters of the test procedure commands”, (Pavela, paragraph # 0065). Kamani does nothing to remedy the deficiencies of Pavela. Thus, the applicant submits that claim 1 is allowable.

Claims 26 and 27 recite features corresponding to those of claim 1 and stand rejected for the same reasons. Therefore, claims 26 and 27 are allowable for the same reasons set forth above with respect to claim 1.

Remaining Claims

Claims 7-9, 16, 17, and 25 depend from claim 1 and are allowable for at least the reasons that apply to that independent claim. Claims 28 and 29 have been cancelled.

Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The applicant respectfully requests that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the applicant’s decision to amend or cancel any claim should not be understood as implying that the applicant agrees with any positions taken by the examiner with respect to that claim or other claims.

Please apply any charges or credits to Deposit Account No. 50-1432, Reference
No. 343355-600076.

Respectfully submitted,

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